

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
January 8, 2015

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
IN RE ELIZABETH HILLARY MILLWARD, PLSB CASE NO. 14-055

At its regular meeting on January 8, 2015, the Arkansas State Board of Education (Board) accepted the recommendation of the Professional Licensure Standards Board Ethics Subcommittee for disciplinary action against the teaching license of Elizabeth Hillary Millward. Based upon Ms. Millward's failure to respond to the subcommittee's recommendation and the evidence presented, in accordance with the Administrative Procedures Act, Ark. Code Ann. 25-15-101 et seq., the Board hereby states as follows:

I. Findings of Fact:

- a. The Arkansas Department of Education issued Elizabeth Hillary Millward a standard five-year teaching license on January 1, 2010, valid until December 31, 2014.
- b. The Professional Licensure Standards Board Ethics Subcommittee received an allegation that Ms. Millward violated the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators promulgated pursuant to Ark. Code Ann. § § 6-17-422 and 6-17-428.
- c. The subcommittee authorized an investigation into allegations that Ms. Millward violated Standards 1, 2, 3, and 6:
 1. An educator maintains a professional relationship with each student, both in and outside the classroom.
 2. An educator maintains competence regarding skills, knowledge, and dispositions relating to his/her organizational position, subject matter, and/or pedagogical practice.
 3. An educator honestly fulfills reporting obligations associated with professional practices.

6. An educator keeps in confidence information about students and colleagues obtained in the course of professional service, including secure standardized test materials and results, unless disclosure serves a professional purpose or is allowed by law.
- d. Ms. Millward was notified on November 14, 2013, of the subcommittee's authorization on November 8, 2013, to investigate this allegation.
 - e. After considering the investigator's report and evidence on October 3, 2014, the subcommittee unanimously found that reasonable belief existed to substantiate a violation of Standards 1, 2, 3, and 6 in that Elizabeth Hillary Millward:
 1. A. Discussed students and personal information and/or her own opinions regarding them with her classroom of students and discussed student information with colleagues and others without regard to students being present;
B. Made comments and remarks regarding her colleagues to her students;
C. Asked a student in the classroom in the presence of her peers if the student had Attention Deficit Hyperactivity Disorder (ADHD); and
D. Put her hands on a student's, collar, grabbed him, and pushed him.
 2. A. Failed to complete necessary paperwork to report grades and progress reports; and
B. Failed to complete and to submit Special Education modifications for her students for the current school year, notwithstanding that she had the same students in the previous school year.
 3. A. Failed to complete necessary paperwork to report grades and progress reports.
 6. A. Discussed students and personal information and/or her own opinions regarding them with her classroom of students and discussed student information with colleagues and others without regard to students being present;
B. Made comments and remarks regarding her colleagues to her students;
C. Asked a student in the classroom in the presence of her peers if the student had Attention Deficit Hyperactivity Disorder (ADHD); and

- D. Discussed her role in leading students to file an ethics complaint against a co-worker after all educators had been instructed not to discuss the matter further.
- f. The subcommittee recommended that the State Board place Ms. Millward's license on probation for three (3) years and assess a fine of \$75.
- g. Ms. Millward was notified of the subcommittee's reasonable belief determination and recommendation on October 6, 2014, by certified and regular mail. Ms. Millward did not respond to the recommendation and she did not request a hearing thereby waiving her right to any further notice or hearing or any other rights she might have under the Administrative Procedure Act including those rights set forth in Ark. Code Ann. §§ 25-15-211 and 25-15-212.
- h. At today's meeting, the subcommittee's recommendation and supporting documentation were presented to the Board as part of its consent agenda.

II. Conclusions of Law:

- a. Upon consideration of the evidence presented at the meeting and pursuant to Ark. Code Ann. §§ 6-11-105, 6-17-401, 6-17-422, 6-17-428 and 25-15-201 et seq., and the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators, the Board adopts the recommendations of the subcommittee.
- b. Accordingly, the Board orders that Elizabeth Hillary Millward's license be placed on probation for three (3) years and assesses a fine of \$75.
- c. Ms. Millward is cautioned that further violations of the Code of Ethics or failure to pay the fine within thirty (30) days from the date of this order may result in more severe discipline including permanent revocation of her license.

- d. This order shall remain permanently in Ms. Millward's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Samuel Ledbetter, Chair
Arkansas State Board of Education